

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHANNEL BIO CORPORATION,

Plaintiff,

v.

ERIC LEWIS, *et al.*,

Defendants.

Case No. 08-cv-57-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on two Stipulations of Dismissal (Docs. 126, 127) filed by Channel Bio Corporation (“Channel”). Channel and several of the parties in this matter seek dismissal of numerous claims pursuant to Federal Rule of Civil Procedure 41(a). Rule 41(a) states that a plaintiff “may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). While the instant stipulations of dismissal hardly close this case, each dismisses entire actions by and against Channel. Additionally, each is signed by all of the parties whose actions will be dismissed by that stipulation.

Accordingly, the Court, being fully advised of the premises, **DISMISSES with prejudice** Channel’s causes of action as to Clay County State Bank, each party to bear its own attorneys’ fees and costs. Further, the Court **DISMISSES with prejudice** Channel’s causes of action as to Donnie Dueker, DJD-3, Inc., D&Z Land Trust, Mike Ziegler, Jane Ziegler, Eric Bernhard, and Sandra Bernhard, each party to bear its own attorneys’ fees and costs. Finally, the Court **DISMISSES with prejudice** the causes of action of DJD-3, Inc., Mike Ziegler, Jane Ziegler, Eric Bernhard, and Sandra Bernhard against Channel, each party to bear its own attorney’s fees and costs.

**IT IS SO ORDERED.**

**DATED: November 13, 2009**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**